

to contain 4.6 grains of chloramine T, whereas each of said tablets contained less than so represented, to wit, not more than 0.0267 grain, i. e., approximately 1/40 grain of chloramine T; each of said potassium bromide tablets was represented to contain 5 grains of potassium bromide, whereas each of said tablets contained more than so represented, to wit, not less than 5.679 grains, i. e., 5 2/3 grains of potassium bromide; each of said calcium lactate tablets was represented to contain 5 grains of calcium lactate, whereas each of said tablets contained less than so represented, to wit, not more than 4.095 grains, i. e., 4 1/10 grains of calcium lactate.

Misbranding was alleged for the reason that the statements, to wit, "Tablets, Morphia 1-4 gr.," with respect to the morphia and atropine tablets, "Tablet Chloramine T 4.6 Grains," with respect to the chloramine T tablets, "Tablets Potassium Bromide, 5 Grains," with respect to the potassium bromide tablets, and "Tablet, Calcium Lactate, 5 Grains," with respect to the calcium lactate tablets, were false and misleading in that they represented that the said tablets each contained 1/4 grain of morphia, 4.6 grains of chloramine T, 5 grains of potassium bromide, or 5 grains of calcium lactate, as the case might be; whereas the said morphia and atropine tablets contained no morphia, the said chloramine T tablets contained less than 4.6 grains of chloramine T, the said potassium bromide tablets contained more than 5 grains of potassium bromide, and the said calcium lactate tablets contained less than 5 grains of calcium lactate. Misbranding of the said morphia and atropine tablets was alleged for the further reason that they contained morphine sulphate and the package failed to bear a statement on the label of the quantity and proportion of morphine sulphate contained therein.

On March 23, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16396. Misbranding of Asper-Lax. U. S. v. 11 Dozen Packages of Asperlax. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23403. I. S. No. 03097. S. No. 1565.)

On February 13, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen packages of Asper-Lax, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Asper-Lax (Inc.), New York, N. Y., on or about January 25, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained 4.3 grains of aspirin and 0.48 grain of phenolphthalein per tablet, colored with a pink dye.

It was alleged in the libel that the article was misbranded in that the following statements were false and misleading: (Tin container) "The Aspirin Laxative;" (circular) "The Laxative Aspirin. * * * The New Safe Aspirin * * * Asper-Lax the New Aspirin * * * Asper-Lax is aspirin in laxative form * * * and is entirely harmless * * * Asper-Lax may be safely administered to children." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (tin container) "For the relief of * * * Rheumatism, Neuralgia, Sciatica, Lumbago, Influenza, Lagrippe," (circular) "Laxative Aspirin * * * the treatment of many serious and distressing ailments * * * Asper-Lax * * * while giving quick pain relief * * * remove the cause of the trouble by providing a gentle stimulant for liver action * * * when the digestive tract becomes clogged * * * la grippe and influenza are easily contracted by a system so weakened. Asper-Lax is aspirin in laxative form * * * will always be found helpful even when there is no apparent need for a laxative. * * * For * * * La Grippe and Influenza * * * For Toothache * * * The laxative aids nature in eliminating poisons discharged from the abscess. * * * Asper-Lax may be used * * * in all cases as you have been accustomed to take ordinary aspirin. You will find Asper-Lax more effective and the relief more lasting. * * * For Periodic Pains and Congestion: Many women have found Asper-Lax a great aid and comfort at these times. You will be amazed at how quickly and completely relief comes," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed,

and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 12, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16397. Misbranding of laxative Cold Fix tablets. U. S. v. 28 Packages of Laxative Cold Fix Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23417. I. S. No. 03593. S. No. 1569.)

On February 18, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 28 packages of laxative Cold Fix tablets, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Corn Fix Co., from Newark, N. J., on or about August 28, 1928, and transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (1.00 grain per tablet), cinchonine sulphate (0.134 grain per tablet), aloin, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, borne on the carton and in the accompanying circular, "La Grippe * * * For * * * La Grippe * * * Loss of Appetite, etc.," (circular) "Colds with constipation and headache * * * when neglected they often lead to much more serious ailments, a few of which may be Tuberculosis, Pneumonia, serious nervous disorders, kidney trouble, etc. * * * Highly Recommended for * * * Loss of Appetite, Etc. It is not necessary for you to wait until you are suffering with * * * La Grippe * * * but they are recommended very highly for * * * loss of Appetite, etc. Try them for these troubles," were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16398. Misbranding of Mistura creosote compound. U. S. v. 4 Dozen Packages of Mistura Creosote Compound. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23388. I. S. No. 03096. S. No. 1557.)

On or about February 12, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 dozen packages of Mistura creosote compound, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Charles Killgore, New York, N. Y., on or about January 14, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of creosote, alcohol (27.7 per cent), sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, (label) "For the treatment of phthisis. It is especially valuable in bronchitis, influenza, and chronic coughs. * * * For